Conference of the States Parties to the United Nations Convention against Corruption

Distr.: Limited
6 June 2018

Original: English

Implementation Review Group
Ninth session
Vienna, 4–6 June 2018

Draft report

Addendum

III. Review of implementation of the United Nations Convention against Corruption

B. Outcome of the first cycle reviews

1. A representative of the secretariat provided an oral update on the ongoing work to develop a *Set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention* (CAC/COSP/2017/5) during the first review cycle. The relevant paper had been prepared for the previous session of the Group and was submitted to the Conference on the basis of Conference resolution 6/1, in which the Group was requested to analyse the outcomes of the first cycle country reviews in terms of identified successes, good practices, challenges, observations and technical assistance needs, considering the thematic implementation reports. The paper is based on an analysis of over 5,000 individual recommendations and nearly 1,000 good practices identified in 149 completed country reviews of the first cycle. It further reflects written submissions received from 16 States parties, which availed themselves of the opportunity to provide written comments on the draft discussion paper prepared for the eighth session of Group.

2. Overall, the secretariat received positive feedback on the document, bearing in mind that the set of recommendations and conclusions are non-binding in nature. The document will be re-circulated again for written comments after this session of the Group. It will also be discussed in the Expert Meeting on International Cooperation and made available to relevant sessions of the Group. Speakers welcomed the secretariat's focused analytical work to develop non-binding conclusions and recommendations on the outcomes of the first review cycle. They noted that these would lend themselves to further discussion during the second resumed session of the Group, thereby benefiting from the contributions of relevant experts from the Expert meeting on International Cooperation.

3. Many speakers reiterated their countries' commitment to the Mechanism as a tool for the identification of gaps in the implementation of the Convention, good practices and technical assistance needs, and noted the concrete impact of the Mechanism in this regard. Speakers highlighted specific steps taken by their countries in response to the first cycle recommendations and underscored their commitment to

Please recycle

address them. In particular, many speakers informed the Group about amendments to national policies, legislation and institutional reforms undertaken in order to implement the review recommendations. Speakers described, for example, the development of national strategies to prevent and counter corruption, as well as efforts to establish specialized anti-corruption courts and institutional structures to investigate and prosecute corruption offences, and to coordinate anti-corruption policies. Speakers also referred to developments in the criminalization of corruption and money-laundering, such as foreign and private sector bribery offences, trading in influence, obstruction of justice, penalties for corruption, illicit enrichment, the liability and transparency of legal persons, proceeds of crime (including measures to seize, freeze and confiscate proceeds, which had led to effective judicial orders), the protection of reporting persons, and conflicts of interest. In respect of international cooperation, speakers highlighted the development of legislation on extradition and mutual legal assistance based on the recommendations issued in the first review cycle, referred to efforts to strengthen international cooperation including through other international bodies and mechanisms, and reaffirmed the need to renew efforts to strengthen international cooperation. One speaker, while emphasizing the challenges experienced in the area of mutual legal assistance in this context, encouraged expediting the development of non-binding guidelines for proactive and timely sharing of information in accordance with article 56 of the Convention, pursuant to resolution 7/1. One speaker referred to the positive impact that the establishment of an information technology system would have on addressing the recommendations emanating from different peer review mechanisms. He encouraged the Group to consider using a similar approach when reviewing measures taken in response to review recommendations. Speakers also welcomed the support provided by UNODC and other cooperation partners in the follow-up to reviews, including through field-based staff and encouraged UNODC to further enhance this support. In this context, several speakers called on States Parties to provide UNODC with the resources necessary to extend this support also to States Parties under review in the second cycle, thus enabling them to fully benefit from the review process.

V.18-03796